

Accessory Apartments

4.2 Accessory Apartments - An accessory apartment is authorized as an accessory use in a single family dwelling subject to the following conditions:

- 4.2.1 Either the Principal Unit or the Apartment shall be occupied by the owner of the property. For the purpose of this section, the "owner" shall be one or more individuals who constitute a family who hold legal or beneficial title to the dwelling and for whom the dwelling is the primary residence for voting and tax purposes.
- 4.2.2 The floor area of the accessory apartment shall not exceed 1,250 square feet. (Basements, cellars, and walk-up attics accessed through the apartment must be included in the area calculation.)
- 4.2.3 There shall not be more than two (2) bedrooms in an accessory apartment.
- 4.2.4 Where the structure is not connected to the public water and sanitary sewer systems, the applicants shall obtain the appropriate permits from the Board of Health.
- 4.2.5 The accessory apartment shall be designed so that the appearance of the structure remains that of a single family dwelling, subject further to the following conditions and requirements:
 - a) All stairways to an apartment located above the ground floor shall be enclosed within the exterior walls of the dwelling, or not visible from the street.
 - b) There shall not be more than one driveway or curb cut providing access to the dwelling units except for half circular or horseshoe driveway located in the front of the building.
- 4.2.6 A minimum of one (1) additional parking space shall be provided for the apartment.
- 4.2.7 A Special Permit from the Board of Appeals shall be required, subject to Section 10.3.2 and Section 10.5 of the Wilmington Zoning By-laws.
 - a) If enlargements or additions to the single family dwelling are proposed.
- 4.2.8 No Apartment permitted under this section shall be constructed and occupied without building and occupancy permits issued by the Inspector of Buildings.
- 4.2.9 A certificate of occupancy shall be issued to the owner only, and is not transferable. A new owner shall apply to the Inspector of Buildings for a new certificate of occupancy.
- 4.2.10 Accessory Apartments including the Principal Dwelling shall be constructed so as to comply with the State Building Code as administered by the Inspector of Buildings of the Town of Wilmington.

TOWN OF WILMINGTON

ACCESSORY APARTMENT APPLICATION

Name: _____

Address: _____

Map: _____ Parcel: _____ Zone: _____ Lot Size: _____

Has there ever been an Accessory Apartment Occupancy Permit for this address? _____

Will the principal unit or apartment be occupied by the owner? _____

What is the floor area of the apartment? _____ sq. ft.

How many bedrooms in the Accessory Apartment? _____

Is dwelling connected to public water? _____ public sewer? _____

If not, a plan of the existing septic system must be submitted to the Director of Public Health to insure the system complies with environmental regulations.

Does the outside appearance remain that of a single family dwelling? _____

Are all stairways located above the ground floor to the apartment enclosed within the exterior walls of the dwelling? _____ or not visible from the street? _____

Is there only one driveway or curb cut? _____
(Half circular/horseshoe driveways in front of dwelling are exempt)

How many parking spaces are provided for the apartment? _____

SPECIAL NOTES:

4.2.8 No apartment permitted under this section shall be constructed and occupied without building and occupancy permits issued by the Inspector of Buildings.

4.2.9 A certificate of occupancy shall be issued to the owner only, and is not transferable. A new owner shall apply to the Inspector of Buildings for a new certificate of occupancy.

Date

Signature